



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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Harris Levine
Dana Place Inn
PO Box L
Jackson, New Hampshire 03846

LETTER OF DEFICIENCY
WMB PBF 02-10
March 1, 2002

Dear Mr. Levine:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On February 26, 2002, DES inspected the following public bathing facilities at the Dana Place Inn, in Jackson, NH: the indoor pool ("Pool") and spa ("Spa"). During this inspection the following deficiencies were noted:

A recommendation to close and drain the Spa was issued on February 28, 2002. The inspection on February 26, 2002 revealed that the Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Spa water:

- (a) Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Spa water contained 1 CTS/100mL of total coliform bacteria.
 - (b) The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Spa water contained greater than 200 CTS/100mL.
 - 2 Env-Ws 1103.16(e) requires a free residual chlorine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L chlorine. The chlorine concentration of the Spa water was 1.2 mg/L on February 26, 2002.
- Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Spa water was 6.7 on February 26, 2002.
4. Pursuant to Env-Ws 1103.16(a), disinfection of spa water shall be achieved by continuous feed equipment. The Spa is currently being disinfected by hand feeding.
 5. Pursuant to Env-Ws 1104.03(b), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Complete patron rules were not posted at the Pool at the time of the inspection.
 6. Pursuant to Env-Ws 1104.03(d)(7), a clock shall be visible from all public spas. The clock at the Spa was not functioning.

7. Pursuant to Env-Ws 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Pool at the time of the inspection.
8. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a flow meter.
9. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for the Spa did not include a flow meter.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the chlorine feeder to be installed.
3. The type, manufacture, and model of the flow meters to be installed.
4. A timetable of when:
 - a. the safety items will be in place,
 - b. patron rules will be posted,
 - c. the installation of the chlorine feeder will be completed, and
 - d. the installation of the flow meters will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspection in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


COPY
Jody Connor
Limnology Center Director

enclosure

cc: Gretchen C. Rule, Enforcement Coordinator, DES
Russell A. Nylander, P.E., Chief Engineer, WD/DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Board of Selectmen & Shawn Bergeron, Health Officer, Town of Jackson